## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF GEORGIA MACON DIVISION

:

MORRIS RICKS,

:

Petitioner,

.....

:

: NO. 5:12-CV-206 (MTT)

Chairman ALBERT MURRAY,

VS.

:

Respondent. : ORDER

Before the Court is Petitioner **MORRIS RICKS'S** motion for leave to proceed *in forma pauperis* ("IFP") on appeal (Doc. 27). On August 1, 2013 (Doc. 22), the undersigned adopted the recommendation of the Magistrate Judge that Petitioner's 28 U.S.C. § 2254 motion be denied and that his motion for a certificate of appealability ("COA") be denied. For the reasons stated in the Magistrate Judge's recommendation, the Court finds that Petitioner does not have a non-frivolous issue for appeal. **See** 28 U.S.C. § 1915(a)(3). Accordingly, Petitioner's motion to proceed IFP on appeal is **DENIED**.

**SO ORDERED**, this 8th day of October, 2013.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT